

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

**HERRMAN PROPERTIES, LLC,
Plaintiff,**

v.

**STARSTONE NATIONAL
INSURANCE COMPANY,
WELLINGTON CLAIMS
SERVICES, INC., MICHAEL
MASSEY, ABJ ADJUSTERS, INC
AND
JAMES POTTER
Defendants.**

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**CIVIL ACTION NO. 2:17-cv-00319
JURY DEMANDED**

AGREED STIPULATION OF DISMISSAL FOR PLAINTIFF

Plaintiff and Defendant Starstone National Insurance Company file this stipulation of dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

1. Plaintiff is Herrman Properties, LLC, Defendant is Starstone National Insurance Company.

2. On August 31, 2017, Plaintiff sued Defendants in the County Court at Law No. 2, Nueces County, Texas, Cause No. 2017CCV-61631-2. On September 29, 2017, Starstone National Insurance Company, Wellington Claim Service, Inc., and Michael Massey filed its Original Answer. On October 6, 2017, ABJ Adjusters, Inc., filed their Original Answer. On October 11, 2017, Starstone National Insurance Company filed its Notice of Removal.

3. On or about September 11, 2018, the parties settled this case. As a result of this settlement, all issues in the above-styled and numbered litigation have been fully and finally settled. Plaintiff now moves to dismiss the suit against Defendant.

4. Defendant agrees to the dismissal.

5. This case is not a class action under Federal Rule of Civil Procedure 23, a derivative action under Rule 23.1, or an action related to an unincorporated association under Rule 23.2.

6. A receiver has not been appointed in this case.

7. This case is not governed by any federal statute that requires a court order for dismissal of the case.

8. Plaintiff has not previously dismissed any federal-court or state-court suit based on or

including the same claims as those presented in this case.

9. This dismissal is with prejudice.

Respectfully submitted,

By: /s/ Mikell A. West

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**ATTORNEY FOR PLAINTIFF
HERRMAN PROPERTIES, LLC**

**Signed with permission*

CERTIFICATE OF SERVICE

I certify that on October 29th, 2018, a copy of the parties' Agreed Stipulation of Dismissal was *electronically filed* on the CM/ECF system, and will be served on the following attorney in charge for Plaintiff, Herrman Properties, LLC, via electronic filing or regular mail:

Attorney for Plaintiff

Lane Diamond
Herrman and Herrman, PLLC
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VIA E-FILING

/s/ Mikell A. West
Mikell A. West